

### **REMARKS**

This paper is in response to the official action dated October 31, 2006 (hereafter, "the official action"). This paper is timely-filed as it is accompanied by a petition for an extension of time to file in the first month and a check covering the requisite fee of \$120.00.

Applicants note that the present application published as US 2006/0228576 with the title "9-Aryl and Bisayl (sic) Substituted Polyfluorenes." The application was filed, however, with the title "Polymer." The applicants respectfully submit that no amendment to the title should be needed because the application was filed with the correct title. Nonetheless, applicants respectfully request correction of Office records.

Claims 1-18 are currently pending. By the foregoing, claims 4, 6, 10, and 14-18 have been amended to address matters of form, and new claim 19 has been added. No fees are due for presenting claim 14 in independent form or for adding claim 19. No new matter has been added.

Claims 1-19 will be at issue upon entry of the amendments made herein.

Claims 1-18 have been rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,353,083 to Inbasekaran ("Inbasekaran").

The sole basis for the claim rejections is addressed below. Reconsideration of the application is solicited in view of the foregoing amendments and the following remarks.

### **CLAIM REJECTIONS – 35 U.S.C. §102**

Claims 1-18 have been rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,353,083 to Inbasekaran *et al.* ("Inbasekaran"). The applicants respectfully traverse the rejections.

It is well-established that each and every limitation of a claimed invention must be present in a single prior art reference in order for anticipation to occur. *See*, for example, C.R. Bard, Inc. v. M3 Systems, Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). The standard for anticipation is one of strict identity.

All pending claims 1-19 recite a fluorene moiety comprising at the 9-position either (i) an aromatic hydrocarbon substituted with at least one electron withdrawing group or (ii) an electron withdrawing heteroaryl.

At page 2 of the official action, the examiner indicated that the following disclosure anticipates pending claims 1-18:

In the second embodiment the copolymers of the invention comprise at least 10% of RMUs of structures I and II *and at least 1% of two or more RMUs possessing electron transporting property*. Electron transporting property is imparted to polymers by electron-deficient RMUs. Examples include RMUs containing electron-withdrawing groups such as F, cyano, sulfonyl, carbonyl, nitro, carboxy; moieties containing imine linkage, and condensed polycyclic aromatics.

See Inbasekaran at column 4, lines 20-28 (emphasis added). Notably, the aforementioned disclosure distinguishes between fluorene moieties (i.e., “RMUs of structures I and II”) and other residual monomeric units (RMUs) containing electron withdrawing groups. Thus, Inbasekaran merely teaches a polymer comprising a fluorene repeat unit in combination with a separate repeat unit having electron withdrawing groups, but does not teach that electron withdrawing groups should be provided as a substituent of a fluorene unit, as recited by all pending claims 1-19.

Furthermore, even if Inbasekaran discloses fluorene units substituted with electron withdrawing groups (which it doesn't), all pending claims 1-19 recite a fluorene moiety comprising either an (i) *aromatic hydrocarbon* substituted with at least one electron withdrawing group or (ii) an electron withdrawing *heteroaryl*, as recited by all claims 1-19. Attaching an *aliphatic* electron withdrawing group to fluorene has been found to be ineffective, as explained at the first two paragraphs of page 4 of the application.

In view of the above, the applicants respectfully submit that the anticipation rejections of claims 1-18 over Inbasekaran have been overcome and should be withdrawn.

**CONCLUSION**

It is respectfully submitted that this application is now in condition for allowance. Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, she is respectfully invited to contact the undersigned attorney at the indicated telephone number.

Respectfully submitted,

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